

IN THE CLAIMS

Please amend the claims as shown below.

1. (Previously Presented) A modified thermostable DNA polymerase having a 3'-5' exonuclease activity, wherein in the DX₁EX₂X₃X₄H sequence (D: aspartic acid, E: glutamic acid, H: histidine, X₁, X₂, X₃ and X₄: any amino acid) within the exonuclease I region of the thermostable DNA polymerase, histidine(H) has been replaced by another amino acid.

2. (Original) The modified thermostable DNA polymerase according to claim 1, wherein in the DX₁EX₂X₃X₄H sequence, histidine(H) has been replaced by an amino acid selected from the group consisting of aspartic acid, glutamic acid, tyrosine, alanine, lysine and arginine.

3. (Original) The modified thermostable DNA polymerase according to claim 1 having the following physicochemical properties:

- (1) DNA extension rate: at least 20 bases/second; and
- (2) thermostability: it is capable of retaining 10% or more DNA polymerase activity of untreated DNA polymerase at pH 8.8 (determined at 25°C) after treatment at 95°C for 6 hours.

4. (Currently Amended) The modified thermostable DNA polymerase according to claim 3 having the following physicochemical properties:

- (1) DNA extension rate: at least 30 bases/second;
- (2) thermostability: it is the modified thermostable DNA polymerase being capable of retaining 40% or more DNA polymerase activity of untreated DNA polymerase at pH 8.8 (determined at 25°C) after treatment at 95°C for 6 hours; and
- (3) amino acid sequence: the modified thermostable DNA polymerase comprising an amino acid sequence of SEQ ID NO:2 except that in the DX₁EX₂X₃X₄H sequence (~~D: aspartic acid, X₁: isoleucine, E: glutamic acid, X₂: threonine, X₃: leucine, X₄: tyrosine, H: histidine~~)

located at the 141- to 147-positions in the amino acid sequence of SEQ ID NO: 2, histidine(H) has been replaced by another amino acid, wherein X₁ is isoleucine, X₂ is threonine, X₃ is leucine and X₄ is tyrosine.

5. (Currently Amended) The modified thermostable DNA polymerase according to claim 4 having the following ~~physicochemical properties~~:

~~(1) DNA extension rate: at least 30 bases/second;~~

~~(2) thermostability: it is capable of retaining 60% or more DNA polymerase activity of untreated DNA polymerase at pH 8.8 (determined at 25°C) after treatment at 95°C for 6 hours; and~~

~~(3) amino acid sequence: in the DX₁EX₂X₃X₄H sequence (D: aspartic acid, X₁: isoleucine, E: glutamic acid, X₂: threonine, X₃: leucine, X₄: tyrosine, H: histidine) located at the 141- to 147-positions in the amino acid sequence of SEQ ID NO: 2, histidine(H) has been replaced by another amino acid.~~

6. (Original) The modified thermostable DNA polymerase according to claim 5, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by an amino acid selected from the group consisting of aspartic acid, glutamic acid, tyrosine, alanine, lysine and arginine.

7. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by aspartic acid.

8. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by glutamic acid.

9. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by tyrosine.

10. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by alanine.

11. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by lysine.

12. (Original) The modified thermostable DNA polymerase according to claim 6, wherein in the amino acid sequence of SEQ ID NO: 2, histidine(H) at the 147-position has been replaced by arginine.

13. (Withdrawn) A gene encoding a modified thermostable DNA polymerase wherein in the DX₁EX₂X₃X₄H sequence (D: aspartic acid, E: glutamic acid, H: histidine, X₁, X₂, X₃ and X₄: any amino acid) consisting of DX₁E sequence within the EXO I region and four amino acid length peptide adjacent to said glutamic acid(E) of thermostable DNA polymerase having 3'-5' exonuclease activity, histidine(H) has been replaced by another amino acid.

14-24. (Canceled)

25. (Previously Presented) A reagent kit for amplifying nucleic acid, which comprises 2 kinds of primers, each of the primers being complementary to a DNA extension product of the other primer; dNTP; the thermostable DNA polymerase of claim 1; divalent ion(s); monovalent

ion(s); and a buffer solution.

26. (Previously Presented) A reagent kit for amplifying nucleic acid, which comprises 2 kinds of primers, each of the primers being complementary to a DNA extension product of the other primer; dNTP; the thermostable DNA polymerase of claim 1; magnesium ion; at least one of monovalent ions selected from the group consisting of ammonium ion and potassium ion; BSA (bovine serum albumin); a nonionic surfactant and a buffer solution.

27. (Previously Presented) A reagent kit for amplifying nucleic acid, which comprises 2 kinds of primers, each of the primers being complementary to a DNA extension product of the other primer; dNTP; the thermostable DNA polymerase of claim 1; magnesium ion; at least one of monovalent ions selected from the group consisting of ammonium ion and potassium ion; BSA (bovine serum albumin); a nonionic surfactant; a buffer solution and an antibody capable of suppressing at least one activity selected from polymerase activity and 3'-5' exonuclease activity of the thermostable DNA polymerase.

28. (Previously Presented) A DNA polymerase composition which comprises one or more kinds of modified thermostable DNA polymerases defined in claim 1.

29. (Canceled)

30. (Previously Presented) A reagent kit for producing a mutated DNA which comprises mutagenesis primers, dNTP and the thermostable DNA polymerase of claim 1.

31. (Withdrawn) A method for improving amplification efficiency and/or fidelity comprising replacing histidine residue in the DX₁EX₂X₃X₄H sequence (D: aspartic acid, E: glutamic acid, H: histidine, X₁, X₂, X₃ and X₄: any amino acid) within the exonuclease I region of

the thermostable DNA polymerase is replaced by another amino acid.

32. (Currently Amended) A modified thermostable DNA polymerase according to claim 1 wherein said DNA polymerase is an α -like ~~a-like~~ DNA polymerase.

33. (Previously Presented) A modified thermostable DNA polymerase according to claim 1 wherein said DNA polymerase is thermostable DNA polymerase.

34. (Previously Presented) A modified thermostable DNA polymerase according to claim 1 wherein said DNA polymerase is selected from KOD DNA polymerase derived from Pyrococcus kodakaraensis KOD1, thermostable DNA polymerase derived from Pyrococcus furiosus and thermostable DNA polymerase derived from Thermococcus litoralis.

35. (Currently Amended) A modified thermostable DNA polymerase according to claim 1 wherein ~~said~~ the DX₁EX₂X₃X₄H sequence is selected from DIETLYH or DIETFYH.

36. (Currently Amended) A modified thermostable DNA polymerase according to claim 1 wherein the histidine (H) has been replaced by an acidic amino acid to obtain the modified thermostable DNA polymerase having significantly reduced 3'-5' exonuclease activity as compared with the enzyme before modification.

37. (Currently Amended) A modified thermostable DNA polymerase according to claim 1 wherein the histidine (H) has been replaced by a neutral amino acid to obtain a modified thermostable DNA polymerase having improved amplifying efficiency.

38. (Currently Amended) A modified thermostable DNA polymerase according to claim 1 wherein the histidine (H) has been replaced by a basic amino acid to obtain a modified

thermostable DNA polymerase having significantly improved 3'-5' exonuclease activity and/or fidelity on a DNA replication or amplification.

39. (New) The modified thermostable DNA polymerase according to claim 1, wherein the histidine (H) has been replaced by an acidic amino acid to obtain the modified thermostable DNA polymerase having improved PCT amplification efficiency from low copy number of template DNA.

40. (New) The modified thermostable DNA polymerase according to claim 1, wherein the histidine (H) has been replaced by an acidic amino acid to obtain the modified thermostable DNA polymerase having improved PCT amplification efficiency from a long DNA segment.

41. (New) The modified thermostable DNA polymerase according to claim 1, wherein the histidine (H) has been replaced by a neutral amino acid to obtain the modified thermostable DNA polymerase having improved PCT amplification efficiency from low copy number of template DNA.